

Express Mail Label No.: 862123063 US
Date of Deposit: October 26, 2001

Attorney's Office No. 24219-001CON
(formerly SDB-001CN) #9

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANT(S): Tony Baker

APPLICATION NUMBER: 09/805,785

EXAMINER: Not yet assigned

FILING DATE: April 13, 2001

ART UNIT: Not yet assigned

FOR: *METHODS AND REAGENTS FOR PRESERVATION OF DNA IN BODY FLUIDS*

Commissioner for Patents
Washington, D.C. 20231

RECEIVED
DEC 19 2001
TECH CENTER 1600/2900

PETITION TO MAKE SPECIAL (MPEP 708.02 XII)

Applicant hereby petitions to have this application made special, as it relates to biotechnology subject matter filed by an applicant who is a small entity.

1. Small entity status for the Applicant's assignee, Sierra Diagnostics, LLC, has been established in this application, as evidenced by the Small Entity Statement filed with the PTO on November 3, 1998 in parent Application Number 09/185,402, a copy of which is enclosed herewith.
2. The subject matter of this patent application is a major asset of the Applicant's assignee.
3. The development of the technology will be significantly impaired if examination of this patent application is delayed. Products based on the technology are the major products of Applicant's assignee, Sierra Diagnostics, LLC. Applicant's assignee, Sierra Diagnostics, LLC, is also engaged in discussions with various larger companies to enter into commercial arrangements to develop and market such products, that Sierra would otherwise be unable to do given its size and capitalization. Expedited examination of the patent application will therefore be essential to Applicant.

Applicant respectfully submits that the above conditions are sufficient for granting of the petition to make the application special, and respectfully requests favorable consideration of this petition.

The fee under 37 CFR 1.17(h) is enclosed herewith. The Commissioner is authorized to charge any additional fees that may be due, or to credit any overpayment, to the undersigned's

12/17/2001 CVORACHA 00000049 09805785

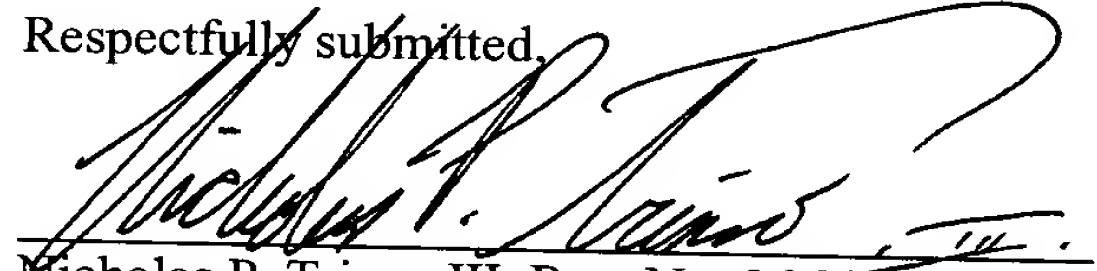
01 FC:122

130.00 OP

Applicants: Tony Baker
Appl'n No. 09/805,785

account, Deposit Account No. 50-0311 (Reference No. 24219-001CON). A duplicate copy of this document is enclosed.

Respectfully submitted,



Nicholas P. Triano III, Reg. No. 36,397

Attorney for Applicant(s)

MINTZ, LEVIN, COHN, FERRIS,
GLOVSKY and POPEO, P.C.

One Financial Center

Boston, Massachusetts 02111

Tel: (617) 542-6000

Fax: (617) 542-2241

Dated: October 26, 2001

TRA 1586701v1